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6 Attorneys for Defendants CONSECO HEALTH INSURANCE COMPANY  
and CONSECO SERVICES L.L.C.  
7

8 UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 ANITA D. PARATLEY, ) CASE NO. C-05-4312 (MMC)  
12 )  
Plaintiff, ) [San Francisco County Superior  
13 ) Court Case No. 05-445379]  
14 vs. )  
15 CONSECO HEALTH INSURANCE ) STIPULATION AND ORDER RE  
COMPANY and CONSECO SERVICES ) PLAINTIFF'S THIRD MOTION TO  
L.L.C. ) COMPEL  
16 Defendants. )  
17 \_\_\_\_\_ )  
Assigned to: The Honorable  
18 Maxine M. Chesney  
19

20 STIPULATION

21 It is stipulated, by and between the parties to this action,  
22 by and through their attorneys of record:

23 1. This stipulation and order constitutes a full and  
24 complete resolution of all issues raised by, and which are the  
25 subject of, plaintiff's third motion to compel, and the dispute  
26 between the parties over the discovery requests which are the  
27 subject of that motion.  
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1           2. Plaintiff's third motion to compel shall be taken off  
2 calendar.

3  
4           3. Defendant will provide a full and complete response,  
5 without objection, to interrogatory number 4.

6  
7           4. Defendant will produce all forms for cancer insurance  
8 policies issued or sold by defendant within the past 5 years, and  
9 the first form for cancer insurance policies for California which  
10 contained the following language: "We will not pay for any  
11 treatment planning, treatment management. . ."

12  
13           5. Defendant will produce unredacted copies of Bate stamped  
14 documents 1173-1175.

15  
16           6. Defendant will provide an admission, interrogatory  
17 response, or stipulation, admissible into evidence, that the  
18 persons who handled plaintiff's claim for benefits which is the  
19 subject of this action were employed by Conseco Services L.L.C.  
20 Such an admission, interrogatory response or stipulation is  
21 without prejudice to, and does not bar defendant's right to, make  
22 whatever assertion it wishes to make concerning the relationship,  
23 if any, between said persons and Conseco Health Insurance Company  
24 and/or between Conseco Services L.L.C. and Conseco Health  
25 Insurance Company.

26  
27           7. The responses will be provided within 20 days of the  
28 execution of this stipulation.

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1 DATED: October 11, 2006

2 By

  
MICHAEL N. WHITE  
Pro Hac Vice

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4 Richard H. Friedman (CA Bar No.  
5 221622)  
6 Friedman, Rubin & White  
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Attorneys for Anita D. Paratley

16 DATED: October 11, 2006

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17 By

  
MARC J. WODIN

18 Attorneys for Defendants CONSECO  
19 HEALTH INSURANCE COMPANY and  
20 CONSECO SERVICES L.L.C.

21  
22 ORDER

23 IT IS SO ORDERED

24 10-11-06

/s/ Wayne D. Brazil  
THE HONORABLE WAYNE D. BRAZIL  
UNITED STATES MAGISTRATE JUDGE

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26  
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STIPULATION AND ORDER